

103^D CONGRESS
1ST SESSION

H. R. 3595

To prohibit the possession of a handgun by, and the transfer of a handgun to, a minor, with certain exceptions.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 20, 1993

Mr. SANTORUM introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To prohibit the possession of a handgun by, and the transfer of a handgun to, a minor, with certain exceptions.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Youth Handgun Con-
5 trol Act of 1993”.

1 **SEC. 2. PROHIBITION AGAINST THE POSSESSION OF A**
2 **HANDGUN BY, AND THE TRANSFER OF A**
3 **HANDGUN TO, A MINOR, WITH CERTAIN EX-**
4 **CEPTIONS.**

5 (a) PROHIBITIONS.—Section 922 of title 18, United
6 States Code, is amended by adding at the end the follow-
7 ing:

8 “(s)(1)(A) It shall be unlawful for an individual who
9 has not attained 18 years of age to possess a handgun.

10 “(B) Subparagraph (A) shall not apply to the posses-
11 sion of—

12 “(i) a handgun by an individual while—

13 “(I) attending a course of instruction in
14 hunter safety or firearms safety that is con-
15 ducted by a certified instructor (within the
16 meaning of subparagraph (C));

17 “(II) practicing the use of a firearm or
18 target shooting in accordance with State and
19 local law; or

20 “(III) hunting in accordance with State
21 and local law;

22 “(ii) an unloaded handgun while traveling to or
23 from an activity described in clause (i), if the hand-
24 gun is in a locked container; or

25 “(iii) a handgun by an individual on real prop-
26 erty that is owned or leased by a parent or legal

1 guardian of the individual, with the consent of a
2 parent or legal guardian of the individual.

3 “(C) For purposes of subparagraph (B)(i)(I), a
4 course of instruction in hunter safety or firearms safety
5 is conducted by a certified instructor if—

6 “(i)(I) the course of instruction is conducted in
7 a State in which there are in effect laws and proce-
8 dures for the certification of instructors of such a
9 course of instruction; and

10 “(II) the instructor of the course is certified, in
11 accordance with such laws and procedures, to pro-
12 vide such a course of instruction; or

13 “(ii)(I) the course of instruction is conducted in
14 a State not described in clause (i); and

15 “(II) the instructor is certified by a qualified
16 nonprofit organization to provide such a course of
17 instruction.

18 “(D) As used in subparagraph (C)(ii)(II), the term
19 ‘qualified nonprofit organization’ means a nonprofit orga-
20 nization that—

21 “(i) has offices in 40 or more States; and

22 “(ii) provides firearms safety programs which
23 include training in the safe handling of firearms.

24 “(2)(A) It shall be unlawful for any person to trans-
25 fer a handgun or make a handgun available to an individ-

1 ual who the person knows or has reasonable cause to be-
2 lieve has not attained 18 years of age, unless a parent
3 or legal guardian of the individual, who is not prohibited
4 by law from possessing or receiving a firearm, has con-
5 sented to the transfer.

6 “(B) It shall be unlawful for any person to transfer
7 a handgun or make a handgun available to an individual
8 who the person knows or has reasonable cause to believe—

9 “(i) has not attained 18 years of age; and

10 “(ii) has been convicted of a crime of violence
11 (as defined in section 924(c)(3)), or has been found
12 to be a juvenile delinquent for an offense which
13 would constitute such a crime if committed by an
14 adult.”.

15 (b) HANDGUN DEFINED.—Section 921(a) of such
16 title is amended by adding at the end the following:

17 “(29) The term ‘handgun’ means—

18 “(A) a firearm the barrel of which, excluding
19 any revolving, detachable, or magazine breech, does
20 not exceed 12 inches in length; and

21 “(B) any combination of parts from which a
22 firearm described in subparagraph (A) can be as-
23 sembled.”.

24 (c) PENALTIES.—Section 924(a) of such title is
25 amended—

1 (1) in paragraph (1), by striking “paragraph
2 (2) or (3) of”; and

3 (2) by adding at the end the following:

4 “(5)(A) Whoever knowingly violates section 922(s)(1)
5 shall—

6 “(i) in the case of the 1st such offense, be fined
7 not more than \$10,000, imprisoned not more than
8 1 year, or both, and chapter 403 shall apply;

9 “(ii) in the case of the 2nd such offense, be
10 fined not more than \$20,000, imprisoned not less
11 than 1 year and not more than 5 years, or both, and
12 chapter 403 shall apply; or

13 “(iii) in the case of the 3rd such offense, be
14 fined not more than \$50,000, imprisoned not less
15 than 1 year and not more than 4 years, or both, and
16 chapter 403 shall not apply.

17 “(B) Whoever willfully violates section—

18 “(i) 922(s)(2)(A) shall be fined not more than
19 \$100,000, imprisoned not less than 2 years and not
20 more than 5 years, or both; or

21 “(ii) 922(s)(2)(B) shall be fined not more than
22 \$200,000, imprisoned not less than 5 years and not
23 more than 10 years, or both.

24 “(C) Section 3571 shall not apply to offenses punish-
25 able under this paragraph.”.

1 (d) TECHNICAL AMENDMENT.—Section 5031 of such
2 title is amended by inserting “, and a 1st or 2nd violation
3 by such a person of section 922(s)(1)” before the period.

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